

SENATE BILL 2129

By Womack

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to student behavior and discipline.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3401, is amended by adding the words "or expel" after the word "suspend" in subdivisions (a), (c)(1), (c)(4), and (c)(5).

SECTION 2. Tennessee Code Annotated, Section 49-6-3401, is further amended by adding the words "or expulsion" after the word "suspension" in subdivisions (a), (c)(3), (c)(4), and (c)(5).

SECTION 3. Tennessee Code Annotated, Section 49-6-3401, is further amended by deleting subsection (g) and substituting the following:

(g) There shall be a rebuttable presumption, which is subject to review by the local board or director, that students who commit one or more of the following offenses should be subject to suspension for up to one (1) year or expulsion from the schools of the LEA, depending upon the severity of the offense:

(1) Unlawful possession on school property of a firearm as defined in 18 U.S.C. § 921;

(2) Unlawful possession or use on school property of controlled substances in Schedules I through VI as specified in Title 39, Chapter 17, Part 4; or

(3) Assault and battery of a teacher or other school employee.

SECTION 4. Tennessee Code Annotated, Section 49-6-4018, is deleted in its entirety.

SECTION 5. Tennessee Code Annotated, Section 49-6-4216(b), is amended by deleting the first sentence thereof and substituting the following:

Each local or county board of education is encouraged to develop as part of its written policies and procedures a clear statement of what will constitute a "zero tolerance" violation in that district, resulting in suspension or expulsion, as provided for in Section 49-6-3401.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.